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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,040	12/18/2001	Kiyoshi Sato	9281-4250	6094

7590 10/25/2004

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EXAMINER

KIM, PAUL D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,040

Applicant(s)

SATO, KIYOSHI

Examiner

Paul D Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/18/01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “magnetically coupling the main magnetic pole layer and the coupling layer directly” as recited in lines 23-24 must be shown or the feature canceled from the claim. No new matter should be entered. According to Figs. 32,35 and 36, the main magnetic pole layer (24) and the coupling layer (25) are magnetically connected by a plating underlayer (24b).

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of

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any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 1-12 are objected to because of the following informalities:

Re. Claim 1: The phrase "an opposing face" as recited in line 9 appears to be – the opposing face--.

Re. Claim 2: The phrase "a given depth" as recited in lines 16-17 appears to be – the given depth--.

Re. Claim 3: The phrase "a given depth" as recited in lines 17-18 appears to be – the given depth--.

Re. Claim 4: The phrase "a given depth" as recited in line 15 appears to be –the given depth--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Re. Claim 1: The phrase “an opposing face opposing a recording medium” as recited in line 7 and lines 9-10 renders vague and indefinite. It is unclear as to what the opposing face opposing a recording medium is indicated.

The phrase “the inner width” as recited in lines 14-15 lacks antecedent basis.

The phrase “the opposing face portion” as recited in lines 17-18 lacks antecedent basis.

The phrase “the back” as recited in line 19 lacks antecedent basis.

Re. Claim 2: The phrase “the lower face” as recited in line 7 and “the surface” in line 9 lacks antecedent basis.

The phrase “the inorganic insulation layer” as recited in line 12 renders vague and indefinite. It is unclear whether this inorganic insulation layer is the same inorganic insulation layer recited in line 13 of claim 1 or a new inorganic insulation layer.

Re. Claim 3: The phrase “the inorganic insulation layer” as recited in line 4 renders vague and indefinite. It is unclear whether this inorganic insulation layer is the same inorganic insulation layer recited in line 13 of claim 1 or a new inorganic insulation layer.

The phrase “the pattern” as recited in line 9 lacks antecedent basis.

The phrase “an opposing face opposing the back of the opposing face” as recited in line 7 and lines 18-19 renders vague and indefinite. It is unclear as to what the opposing face opposing the back of the opposing face is indicated.

Re. Claim 4: The phrase “the inorganic insulation layer” as recited in line 4 renders vague and indefinite. It is unclear whether this inorganic insulation layer is the

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same inorganic insulation layer recited in line 13 of claim 1 or a new inorganic insulation layer.

The phrase "the resist layer" as recited in line 8 lacks antecedent basis.

Re. Claim 5: The phrase "such as" as recited in line 4 renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Re. Claim 6: The phrase "the resist layer" as recited in lines 8-9 lacks antecedent basis.

Re. Claim 8: The phrase "the center line" as recited in lines 8-9 lacks antecedent basis.

Re. Claim 12: The phrase "the center line" as recited in line 6 and "the lower layer" as recited in line 7 lacks antecedent basis.

Allowable Subject Matter

5. Claims 1-12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul D Kim
Examiner
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